IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

Bail Appl..No. 1727 of 2007()

Crime No.76/07 of Angamaly Police Station

: PETITIONER

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1. SHAJI @ CHALLY SHAJI, AGED 35 YEARS,
   S/O.KUNJIKKAN, CHALIYIL VEEDU,
   ADICHIL KARA, MELOOR VILLAGE.

2. SUNIL @ KUNJAMBU, AGED 32 YEARS,
   S/O.AYYAPPAN, PARADIVEPPIL VEEDU,
   ADICHIKARA, MELOOR VILLAGE.

3. SHIBU @ KUNNUMMA, AGED 30 YEARS,
   S/O.VELU, CHEMBIKANDAN VEEDU, ADICHIKARA,
   MELOOR VILLAGE.

BY ADV. SRI.V.S.CHANDRASEKHARAN

RESPONDENTS:

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1. CIRCLE INSPECTOR OF POLICE,
   ANGAMALY POLICE STATION.

2. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1727 OF 2007 A

Dated this the 22nd day of March, 2007

O R D E R

Petitioners, who are accused Nos.1 to 3 in Crime No.76/07 of Angamaly Police Station for offences punishable under sections 143, 147, 148, 324, 326 and 307 read with section 149 IPC and section 27 of the Arms Act, 1959, seek their enlargement on bail. The occurrence took place at about 8.45 p.m. on 2.2.07. The petitioners were arrested on 5.2.07.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 2.2.07 at about 8.45 p.m. the first accused due to his unfounded suspicion about the immoral relationship of his wife with the defacto complainant and with an intention to kill the defacto complainant, along with accused Nos.2 to 8 armed with deadly weapons such as sword, chopper, etc. assaulted the defacto complainant, who sustained fracture of both hands and both legs. Accused Nos.4 to 8 are still absconding. Merely because the petitioners have been interrogated by the police, it does not follow that they are entitled to bail. There is every chance of the petitioners influencing and intimidating the prosecution witnesses. I am not inclined to grant bail to the petitioners at the state of investigation.

This application is accordingly dismissed.

(V. RAMKUMAR, JUDGE)

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